



08-16-06

Atty. Dkt. No. 061698-0351

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Jin JEN, et al.

Title: METHODS FOR THE
DIAGNOSIS AND
TREATMENT OF LUNG
CANCER

Appl. No.: 09/646,478

International Filing Date:
3/4/2002

Examiner: S. L. Rawlings

Art Unit: 1643

Conf. No.: 1461

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| CERTIFICATE OF EXPRESS MAILING | |
| I hereby certify that this correspondence is being deposited with the United States Postal Service's "Express Mail Post Office To Addressee" service under 37 C.F.R. § 1.10 on the date indicated below and is addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. | |
| EV 861932206 US (Express Mail Label Number) | August 14, 2006 (Date of Deposit) |
| _____ Susan Salto (Printed Name) | |
| _____ S. Salto (Signature) | |

TRANSMITTAL

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is a Communication with Request For One Month Extension of Time in the above-identified application.

[X] Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

| | | |
|--|----------|----------|
| [X] Extension for response filed within the first month: | \$120.00 | \$120.00 |
| EXTENSION FEE TOTAL: <u>\$120.00</u> | | |

A credit card payment form in the amount of \$120.00 is enclosed.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by the credit card payment form being unsigned, providing incorrect information resulting in a rejected credit card transaction, or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872.

If any extensions of time are needed for timely acceptance of papers submitted herewith, applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 50-0872.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date: August 14, 2006

FOLEY & LARDNER LLP
Customer Number: 38706
Telephone: (650) 251-1129
Facsimile: (650) 856-3710

By Antoinette F. Konski

Antoinette F. Konski
Attorney for Applicant
Registration No. 34,202



Atty. Dkt. No. 061698-0351

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Jin JEN, et al.

Title: METHODS FOR THE
DIAGNOSIS AND TREATMENT
OF LUNG CANCER

Appl. No.: 09/646,478

Filing Date: March 4, 2002

Examiner: S.L. Rawlings

Art Unit: 1643

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| EV 861932206 US (Express Mail Label Number) | August 14, 2006 (Date of Deposit) |
| _____ Susan Salto (Printed Name) | |
| _____ S. Salto (Signature) | |

COMMUNICATION IN CONNECTION WITH

REQUEST FOR ONE MONTH EXTENSION OF TIME

08/16/2006 CNGUYEN 00000004 09646478
01 FC:1251 120.00 QP

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

On June 12, 2006, the U.S. Patent and Trademark Office issued a Notice of Non-Responsive Amendment in connection with the above-identified application. A period of one month was set for reply to this Notice, although extensions of time are available under 37 C.F.R. § 1.136(a). A reply to this Notice originally was due July 12, 2006. Applicants hereby request a one month extension of time to extend the due date to August 12, 2006. However, because August 12, 2006 falls on a Saturday, a response or other action taken the next business day is considered timely under 37 C.F.R. § 1.7. Accordingly, this Communication filed Monday, August 14, 2006 is timely and this application is currently pending.

The extension of time is filed today to ensure copendency, as required by 35 U.S.C. § 120, with a continuation application concurrently filed today.

If any additional extensions of time are needed for timely acceptance of papers submitted herewith, Applicants hereby petition for such extension under 37 C.F.R. §1.136 and authorize payment of any such extensions fees to Deposit Account No. 50-0872.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872.

Should no proper payment be enclosed herewith, as by the credit card payment form being unsigned, providing incorrect information resulting in a rejected credit card transaction, or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872.

Respectfully submitted,

Date: August 14, 2006

By Antoinette F. Konski

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